

House File 640 - Introduced

HOUSE FILE 640
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 207)

A BILL FOR

1 An Act relating to the powers and duties of the department
2 of agriculture and land stewardship, by changing the name
3 of the weather bureau, modifying reporting requirements
4 regarding agricultural liming material, modifying provisions
5 applicable to demonstration projects involving alternative
6 fuels, transferring certain Code sections, providing for
7 the use of certain appropriated moneys for surface water
8 quality, and eliminating certain watershed demonstration
9 pilot projects.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I

2 NAME CHANGE — WEATHER BUREAU TO CLIMATOLOGY BUREAU

3 Section 1. Section 159.5, subsection 4, Code 2019, is
4 amended to read as follows:

5 4. Maintain a ~~weather~~ climatology bureau which shall,
6 in cooperation with the national weather service, collect
7 and disseminate weather and phenological statistics and
8 meteorological data, and promote knowledge of meteorology,
9 phenology, and climatology of the state. The bureau shall be
10 headed by the state climatologist who shall be appointed by
11 the secretary of agriculture, and shall be an officer of the
12 national weather service, if one is detailed for that purpose
13 by the federal government.

14 DIVISION II

15 AGRICULTURAL PRODUCTION

16 COMMERCIAL FEED — LICENSING

17 Sec. 2. Section 198.4, subsection 4, Code 2019, is amended
18 to read as follows:

19 4. A person obtaining a license under this section shall
20 pay to the secretary a license fee of twenty dollars. The fee
21 ~~shall be paid by July 1 and the license shall expire two years~~
22 ~~after that~~ on July 1 of the odd-numbered year following the
23 date the license is issued. A license may be renewed for a
24 two-year period as provided by the department.

25 FERTILIZERS AND CROP CONDITIONERS — LICENSING

26 Sec. 3. Section 200.4, subsection 1, Code 2019, is amended
27 to read as follows:

28 1. Any person who manufactures, mixes, blends, mixes to
29 customer's order, offers for sale, sells, or distributes any
30 fertilizer or soil conditioner in this state must first obtain
31 a license issued by the secretary and pay a twenty dollar
32 license fee for each place of manufacture or distribution
33 from which fertilizer or soil conditioner products are sold
34 or distributed in this state. The license shall expire on
35 ~~the first day~~ July 1 of the ~~second July~~ even-numbered year

1 following the date ~~of issue~~ the license is issued. A license
 2 may be renewed for a two-year period as provided by the
 3 department.

4 BULK DRY ANIMAL NUTRIENT PRODUCTS — LICENSING

5 Sec. 4. Section 200A.5, Code 2019, is amended to read as
 6 follows:

7 **200A.5 License.**

8 A person who distributes a bulk dry animal nutrient product
 9 in this state must first obtain a license from the department.
 10 A license application must be submitted to the department on
 11 a form furnished by the department according to procedures
 12 required by the department. A license shall expire on July 1
 13 of ~~each~~ the even-numbered year following the date the license
 14 is issued. A license may be renewed for a two-year period as
 15 provided by the department.

16 Sec. 5. Section 200A.9, subsection 1, Code 2019, is amended
 17 to read as follows:

18 1. A person required to obtain a license as provided in
 19 section 200A.5 shall pay the department a ~~ten-dollar~~ fee
 20 equal to twenty dollars for each place from which the person
 21 distributes a bulk product ~~is distributed~~ in this state.

22 AGRICULTURAL LIMING MATERIALS — REPORTS

23 Sec. 6. Section 201A.2, Code 2019, is amended by adding the
 24 following new subsection:

25 NEW SUBSECTION. 3A. "*Department*" means the department of
 26 agriculture and land stewardship.

27 Sec. 7. Section 201A.6, Code 2019, is amended to read as
 28 follows:

29 **201A.6 Certification of effective calcium carbonate**
 30 **equivalent — reporting.**

31 1. The department shall certify the effective calcium
 32 carbonate equivalent for all agricultural liming material, as
 33 provided by rules adopted by the department. The department
 34 may establish a fee for analyzing samples of agricultural
 35 liming material.

1 2. The department shall may issue a report at least
 2 once every three months which lists at such times and under
 3 circumstances determined reasonable by the department. The
 4 report may list items determined relevant by the department
 5 during the reporting period, including but not limited to the
 6 agricultural liming material certified by the department.—The
 7 report shall list, the manufacturers of the agricultural liming
 8 material, the locations of facilities used to manufacture
 9 the agricultural liming material, and the identification of
 10 the type of the agricultural liming material produced by the
 11 manufacturer.

12 DIVISION III

13 WEIGHTS AND MEASURES

14 MOTOR FUEL

15 Sec. 8. Section 214A.1, Code 2019, is amended by adding the
 16 following new subsection:

17 NEW SUBSECTION. 9A. "*Department*" means the department of
 18 agriculture and land stewardship.

19 Sec. 9. Section 214A.19, subsection 1, unnumbered paragraph
 20 1, Code 2019, is amended to read as follows:

21 The department ~~of natural resources~~, conditioned upon the
 22 availability of ~~funds~~ moneys, ~~is authorized to~~ may award
 23 demonstration grants to persons who purchase vehicles which
 24 operate on alternative fuels, including but not limited to
 25 E-85 gasoline, biodiesel, compressed natural gas, electricity,
 26 solar energy, or hydrogen. A grant shall be for the purpose
 27 of conducting research connected with the fuel or the vehicle,
 28 and not for the purchase of the vehicle itself, except that the
 29 money may be used for the purchase of the vehicle if all of the
 30 following conditions are satisfied:

31 COMMERCIAL WEIGHING AND MEASURING DEVICES

32 Sec. 10. CODE EDITOR DIRECTIVE.

33 1. The Code editor is directed to make the following
 34 transfers:

35 a. Section 215.26 to section 215.1.

1 b. Section 215.1 to section 215.1A.

2 2. The Code editor shall correct internal references in the
3 Code and in any enacted legislation as necessary due to the
4 enactment of this section.

5 DIVISION IV

6 WATER QUALITY

7 GROUNDWATER PROTECTION FUND

8 Sec. 11. Section 455E.11, subsection 2, paragraph b,
9 subparagraph (3), subparagraph division (d), Code 2019, is
10 amended to read as follows:

11 (d) (i) Thirteen percent of the moneys is appropriated
12 annually to the department of agriculture and land stewardship
13 for financial incentive programs related to agricultural
14 drainage wells and sinkholes, for studies and administrative
15 costs relating to sinkholes and agricultural drainage
16 wells programs. Of the moneys allocated for financial
17 incentive programs, the department may reimburse landowners
18 for engineering costs associated with voluntarily closing
19 agricultural drainage wells. The financial incentives
20 allocated for voluntary closing of agricultural drainage wells
21 shall be provided on a cost-share basis which shall not exceed
22 fifty percent of the estimated cost or fifty percent of the
23 actual cost, whichever is less. Engineering costs do not
24 include construction costs, including costs associated with
25 earth moving.

26 (ii) Notwithstanding subparagraph subdivision (i), the
27 department of agriculture and land stewardship may use all
28 or a portion of the moneys appropriated in that subparagraph
29 subdivision to support programs, projects, and activities
30 related to improving the quality of surface water as well as
31 groundwater.

32 WATERSHED PLANNING

33 Sec. 12. REPEAL. Section 466B.32, Code 2019, is repealed.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 GENERAL. This bill relates to the powers and duties of
3 the department of agriculture and land stewardship (DALS) and
4 in certain circumstances impacts the department of natural
5 resources (DNR).

6 NAME CHANGE — WEATHER BUREAU TO CLIMATOLOGY BUREAU. The
7 bill changes the name of the agency's weather bureau to
8 climatology bureau to correspond to current practice.

9 AGRICULTURAL PRODUCTION — LICENSES — COMMERCIAL FEED,
10 FERTILIZERS AND CROP CONDITIONERS, AND BULK DRY ANIMAL NUTRIENT
11 PRODUCTS. The bill amends a number of provisions in various
12 Code chapters providing for the issuance of licenses to
13 manufacturers or distributors of commercial feed, manufacturers
14 of fertilizers and soil conditioners, and distributors of bulk
15 dry animal nutrient products. In the case of licenses for
16 commercial feed and of fertilizers and soil conditioners, a
17 license remains valid for a two-year period. For commercial
18 feed, the license would expire on July 1 of each odd-numbered
19 year and for fertilizers and soil conditioners, the license
20 would expire on July 1 of an even-numbered year. In the case of
21 bulk dry animal nutrient products, the license would for be for
22 a two-year rather than one-year period expiring on July 1 of
23 each even-numbered year. The license fee would increase from
24 \$10 to \$20 for each place of distribution.

25 AGRICULTURAL PRODUCTION — AGRICULTURAL LIMING MATERIALS
26 — REPORTS. The bill provides that DALS may but is no
27 longer required to issue a report regarding the manufacture
28 of agricultural liming material certified by the agency.
29 Currently, the report must be issued each three months.

30 WEIGHTS AND MEASURES — MOTOR VEHICLE FUEL. The bill
31 provides that DALS rather than DNR may award demonstration
32 grants to persons who purchase motor vehicles operated using
33 alternative fuels.

34 WEIGHTS AND MEASURES — COMMERCIAL WEIGHING AND MEASURING
35 DEVICES — RELOCATION. The bill requires the Code editor to

1 transfer certain Code sections (e.g., definitional section)
2 relating to the regulation of commercial weighing and measuring
3 devices for purposes of enhancing readability.

4 WATER QUALITY — GROUNDWATER PROTECTION FUND. The bill
5 amends a provision which allocates moneys to DALs from the
6 agriculture management account of the groundwater protection
7 fund. It authorizes DALs to use any of those moneys to support
8 programs, projects, and activities related to improving the
9 quality of surface water or groundwater.

10 WATER QUALITY — WATERSHED PLANNING. The bill eliminates a
11 provision that authorizes DALs and DNR to establish one or more
12 watershed demonstration projects.